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ABSTRACT

A study reviewed the U.S. Department of Defense's (DOD) training projects that support nondefense activity under its Innovative Readiness Training (IRT) Program. The report examines the following: extent, nature, and cost of civil military projects; consistency of DOD's guidance on the IRT Program with statutory requirements; conformity of selected projects to statutory requirements; and effectiveness of the Office of the Secretary of Defense's and service secretaries' oversight. Six IRT projects of varying sizes and activities were reviewed to determine their conformance with statutory requirements: three road-building, one medical, one to place excess combat vehicles off the shore of New Jersey to build artificial reefs, and one to reconstruct a basketball court. Findings indicated DOD did not know the full extent, nature, and cost of the IRT program because some project information was not consistently compiled and reported. The DOD directive for civil military projects was consistent with the statutory requirements for such projects. Projects generally met the statutory requirements. However, although the statute required that individuals providing assistance perform tasks directly related to their military specialties, in two cases some individuals' tasks were not related. The Secretary of Defense's office provided limited and inconsistent oversight of IRT projects and the delivery and services under them. (Appendixes include statutory requirements for IRT program and results of case studies.) (YLB)

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United States General Accounting Office

GAO

Report to Congressional Committees

March 1998

CIVIL MILITARY PROGRAMS

Stronger Oversight of the Innovative Readiness Training Program Needed for Better Compliance

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United States
General Accounting Office
Washington, D.C. 20548

National Security and
International Affairs Division

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March 12, 1998

Congressional Committees

This report responds to the requirement in section 595 in the National Defense Authorization Act for Fiscal Year 1998 (P.L. 105-85, Nov. 18, 1997) that we review the Department of Defense's (DOD) training projects that support nondefense activities. DOD conducts these civil military projects under its Innovative Readiness Training (IRT) Program, as authorized by 10 U.S.C. 2012 . Specifically, we reviewed (1) the extent, nature, and cost of civil military projects; (2) the consistency of DOD's guidance on the IRT Program with statutory requirements; (3) the conformity of selected projects to statutory requirements, especially those dealing with military training; and (4) the effectiveness of the Office of the Secretary of Defense's (OSD) and service secretaries' oversight of such projects.

Background

Legislation enacted in 1992 authorized a Civil-Military Cooperative Action Program under which DOD was permitted to use the armed forces' skills and resources to assist civilian efforts to meet domestic needs by participating in projects and activities that would benefit the community.[1] One of the objectives of the program was to enhance individual and unit training and morale in the armed forces through meaningful community involvement. While the statute required DOD to ensure that it provided the assistance in a manner consistent with the military mission of the units involved, the statute did not require an assessment of the training value of providing the assistance. In 1996, legislation repealed the program and replaced it with the current IRT Program.[2]

Like the prior statute, the current legislation (10 U.S.C. 2012) authorizes units or members of the armed forces to provide support and services to nondefense organizations.[3] The law also requires that assistance be incidental to military training, not adversely affect the quality of training,

[1]Public Law 102-484, div. A, title X, sec. 1081(b)(1), Oct. 23, 1992.

[2]Public Law 104-106, div. A, title V, sec. 571(a)(1), Feb. 10, 1996.

[3]Eligible non-DOD organizations and activities are defined as (a) any federal, regional, state, or local governmental entity; (b) youth and charitable organizations specified in section 508 of title 32; and (c) any other entity approved by the Secretary of Defense on a case-by-case basis (10 U.S.C. 2012(e)). The earlier Civil-Military Cooperative Action Program did not specify any group of entities as eligible for assistance. The statute authorizing the program referred instead to authorized use of armed forces' resources "to assist civilian efforts to meet the domestic needs of the United States" (10 U.S.C. 410 (1994) (repealed 1996)).

and not result in a significant increase in the cost of the training; unit's assistance meet valid unit training requirements; and individual members' assistance be directly related to their specific military specialties. Moreover, as was required under the prior program, DOD officials must coordinate with civilian officials to ensure that DOD assistance meets a valid community need and does not duplicate other available public services. Finally, the statute states that assistance may be provided only if it is requested by a responsible official of the organization that needs the assistance and it is not reasonably available from a commercial entity. See appendix I for a complete version of the provisions of 10 U.S.C. 2012.

To administer the IRT Program, DOD issued a specific directive to guide military organizations entering into projects with civilian organizations and established specific processes to ensure that projects conform to statutory requirements. Although the Assistant Secretary of Defense for Reserve Affairs is responsible for monitoring the program, military organizations exercise a high degree of autonomy in making decisions to enter into projects. Military organizations use operations and maintenance and pay and allowances appropriations to fund IRT projects and need apply to OSD only if they require supplemental IRT funding. In fiscal year 1997, Congress appropriated $16 million in such funding for the program.

We selected six IRT projects of varying sizes and activities to determine their conformance with statutory requirements. These projects consist of three road-building projects (Operation Alaskan Road on Annette Island, Alaska; Navajo Nation Building Project between Sawmill and Fort Defiance, Arizona; and Operation Good Neighbor near Gallup, New Mexico); one medical project (MIRT 97 - Adams County, Ohio); one project to place excess combat vehicles off the shore of New Jersey to build artificial reefs (Operation REEFEX 97), and one project to reconstruct a basketball court (Operation Crescent City 97 in Louisiana).

Results in Brief

DOD does not know the full extent and nature of the Innovative Readiness Training Program because some project information is not consistently compiled and reported. Furthermore, although DOD knows the amount of supplemental funds spent on the program, it does not know the full cost of the program because the services and components do not capture those costs, which are absorbed from their own appropriations. Available records indicate that at least 129 projects were conducted in fiscal year 1997 and that most of these were engineering, infrastructure, or medical projects.

The DOD directive for civil military projects is consistent with the statutory requirements for such projects. Specifically, it reiterates the statutory requirements and provides further delineation of how the projects are to be selected and implemented. The directive does not, however, provide any additional guidance for military organizations to use in meeting the statutory requirement that the provision of assistance not result in a significant increase in the cost of training.

The six projects we reviewed generally met the statutory requirements. For example, the benefiting organizations were eligible for the assistance and the provision of assistance did not interfere with units' or individuals' military functions. However, while the statute requires that individuals providing assistance perform tasks directly related to their military specialties, we found that in two cases some individuals' tasks were not directly related to their specialties. Thus, it appeared that the goal of completing a project took priority over the goal of providing valid military training. In addition, we could not determine whether the assistance had resulted in a significant increase in the cost of training for any of the six projects because DOD has established no basis for making such a determination.

OSD has provided limited and inconsistent oversight of Innovative Readiness Training projects and the delivery of support and services under them. For the most part, OSD limited oversight to those projects that received supplemental program funding. Even for those projects, OSD did not always follow its own processes for ensuring that statutory requirements for civil military projects were met and did not have procedures in place to ensure that military organizations were not providing assistance that significantly increased training costs. The service secretaries have not established any additional formal oversight procedures.

Full Extent, Nature, and Cost of Program Are Not Known

DOD officials do not know the full extent of the IRT Program. Despite OSD's expectation that military organizations would file after-action reports on each of their civil military projects, these reports have not been consistently filed. Some service and component command officials told us that they did not require after-action reports for IRT projects that did not receive supplemental funding. Officials of organizations that required reporting of all projects stated that even they might not be aware of small projects conducted at a local level.

Using available service and OSD records for fiscal year 1997, we found that most of the projects were engineering, infrastructure, or medical in nature. At least 129 IRT projects were conducted in at least 35 states and the District of Columbia, and all active, reserve, and National Guard components of each of the services participated in the projects. The scope of these projects varied from activities conducted in 1 day by a few participants from a single unit to joint multiyear operations with hundreds of participants. Because we were unable to determine the full extent of IRT projects, we could not characterize the nature of all the projects.

Although OSD officials told us they had obligated approximately $15.6 million of the $16 million Congress appropriated specifically for the IRT Program in fiscal year 1997, DOD does not capture those costs that the services and their components absorbed from their own pay and allowances and operations and maintenance accounts. As a result, we could not determine total program costs. Supplemental IRT funding spent on the six projects we reviewed amounted to at least $4.6 million. Project officials told us that service and component contributions to these projects were at least $3.6 million. We could not determine their total cost because we had to rely on project participants' memories of the types of costs incurred and, in many cases, their estimates of the expenses. The projects and their costs are discussed in more detail in appendix II.

Program Guidance Is Consistent With Statutory Requirements

The legislation requires the Secretary of Defense to prescribe regulations governing the provision of assistance under the IRT Program. In response to this requirement, DOD issued Directive 1100.20, "Support and Services for Eligible Organizations and Activities Outside the Department of Defense." This directive controls the implementation and administration of the program. Although the directive meets the legislation's requirements, DOD could improve the directive by addressing how it will implement the statutory requirement that the provision of assistance not result in a significant increase in the cost of training.

DOD has implemented the IRT Program through its directive, much of which restates in nearly identical language the statutory provisions governing the program. It provides, in some instances, additional guidance on how DOD is to implement the program, as shown in the following two examples.

Under 10 U.S.C. 2012(f), the Secretary of Defense is required to prescribe regulations that include procedures to ensure that assistance is provided along with, rather than separate from, civilian efforts and meets a valid

civil or community need. To meet this requirement, the directive encourages the establishment of advisory councils composed of various public, private, business, and civic sector representatives. The directive states that if an advisory council does not exist in the area in which assistance is to be provided, responsible DOD commanders or other officials are to consult and coordinate, to the maximum extent practicable, with the same types of individuals who would serve on the councils.

The statute requires that civil military program assistance be provided only if the assistance is not reasonably available from a commercial entity. The directive states that in determining reasonable availability, DOD may also take into account whether the requesting organization or activity would be able, financially or otherwise, to address the specific civic or community need.

Additional guidance could help organizations implement the statutory requirement that assistance not result in a significant increase in the cost of training. DOD's directive repeats the language of the statute but does not explain what constitutes an increase in costs for training or a "significant increase." DOD currently does not assess whether undertaking an IRT project will significantly increase the cost of training. Guidance on this point would provide a basis for assessing whether participating military organizations were complying with the requirements.

The directive calls on the service secretaries to ensure that commanders of units or personnel participating in IRT activities determine that the assistance provided is consistent with valid unit training requirements or related to the specific military specialty of participating personnel. Service officials told us that they were drafting guidelines but did not know when they might be complete.

Statutory Requirements for Selected Projects Were Generally Met

The six projects we reviewed as case studies were generally conducted within the statutory requirements. For example, the benefiting organizations were eligible for the assistance, and the provision of assistance did not interfere with units' or individuals' military functions. While the statute requires that individuals providing assistance perform tasks directly related to their military specialties, on two of the projects we reviewed, some individuals' tasks were not directly related to their specialties. Thus, it appeared that the goal of completing a project sometimes took priority over the goal of providing valid military training. In addition, we were unable to determine whether providing the assistance

had resulted in a significant increase in the cost of training for any of the six projects because DOD has established no basis for making such a determination.

The extent to which five of the projects conformed with each statutory requirement is summarized in table 1. OSD approved the sixth project (Operation Crescent City), which was sponsored by the Marine Corps Reserve, for supplemental IRT funding and the Marine Corps conducted project planning. Marine Corps officials subsequently canceled the project when they failed to reach an agreement with the community that would allow them to ensure that statutory provisions would be met. For example, according to these officials, there was no written request letter, no agreement on who would provide services the Marine Corps unit did not have the skills to provide, and no agreement on who would pay for those aspects of the project that had no training value.

Table 1: Conformance of Selected IRT Projects With Statutory Requirements

Requirement	Operation Alaskan Road	Navajo Nation Building Project	Operation Good Neighbor	MIRT 97 - Adams County	Operation REEFEX 97
General					
Organization eligible	Yes	Yes	Yes	Yes	Yes
Requested by responsible official	Yes	Yes	Yes	Yes	Not documented
Assistance not reasonably available from a commercial source	Yes	Yes	Not documented	Yes	Not documented
No interference with military function	Yes	Yes	Yes	Yes	Yes
Training					
Accomplished valid unit training	Yes	Yes	Not applicable[a]	Yes	Not applicable[a]
Individuals' tasks directly related to specialties	Not in all cases[b]	Yes	Not in all cases	Yes	Yes
No adverse impact on training quality	Yes	Yes	Yes	Yes	Yes
No significant increase in cost of training	Unable to determine	Unable to determine	Unable to determine	Unable to determine	Unable to determine
Assistance incidental to training	Not entirely	Yes	Not entirely	Yes	Yes

[a]These projects were conducted not by units, but by groups of individuals from various units.

[b]When project involved unit training, these individuals were not members of the unit.

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The following paragraphs provide additional information on the conformance of the five projects to statutory requirements.

Conformance With General Requirements

We found that the benefiting organizations for all five projects met the eligibility criteria established in the statute. Furthermore, a written request for assistance existed for four of the five projects. Officials of the fifth project—Operation REEFEX 97—told us that there was no written request for assistance for that project. In addition, officials of Operation Good Neighbor and of Operation REEFEX 97 told us that certifications of noncompetition with the private sector had not been provided for those projects. DOD collects these certifications to establish that assistance is not reasonably available from commercial sources, as required by the statute. The officials from Operation Good Neighbor told us they had attempted to get community officials to provide a certification before starting the project but had been unsuccessful. They said they had contacted OSD officials and were told to continue the project, in spite of not having a certification. Officials of Operation REEFEX 97 told us they did not know why there was no certification for their project.

The statute requires that the assistance not interfere with a unit's or members' ability to perform their military functions. Officials of each of the five projects told us that no need for them to perform their military functions had arisen during work on the projects. They said that had such a need arisen, performance of their military functions would have been their priority.

Conformance With Training Requirements

On the three projects with unit participation, the work of the participating units was directly related to their mission-essential task lists and was therefore considered valid unit training. We found, however, that on two projects, some individuals' tasks were not directly related to their specialties.

For Operation Alaskan Road, Marine Corps officials determined that the assigned combat engineering unit would need to be augmented to accomplish its part of the project in the time allotted. As a result, 25 refuelers from a bulk fuel company were trained in combat engineering skills and used to augment the 125-person combat engineering company. Marine Corps officials acknowledged the bulk refuelers' duties for this project were not related to their military specialties. Also, Marine Corps officials told us that many tasks the combat engineers were required to

perform involved skills not found in the individual training skills manual for the combat engineer (for example, plumbing rough-in work, masonry, quarrying operations, and finished wood frame carpentry).

For Operation Good Neighbor, 7 of the 25 Navy Reserve Seabees performing road construction had military specialties unrelated to the tasks they performed. For example, Seabees with the military specialties of construction welder, carpenter/mason, and utilitiesman were used as heavy equipment operators. In addition, three of the five Seabees who built ramps for the handicapped had military specialties unrelated to the tasks they performed. The Seabees' military specialties were surveyor and heavy equipment operator, but they were used as carpenters/masons.

The statute requires that the assistance have no adverse impact on training quality. Most of the individuals involved in each of our five projects were participating in valid training for their units or performing tasks in their military specialties. Officials told us that for the individuals not performing tasks in their military specialties, participation did not interfere with any other training opportunities.

The statute requires that the assistance provided not result in a significant increase in the cost of training. This determination was not made for any of the five projects. Also, DOD has provided military organizations neither an explanation of what constitutes an increase in costs for training nor a definition of a "significant increase."

The statute requires that the assistance provided be incidental to training, but on two projects, the assistance provided was not entirely incidental to the training. As discussed previously, some of the individuals used in Operation Alaskan Road and Operation Good Neighbor had military specialties that were unrelated to the tasks needed for the projects. Consequently, it appeared the goal of completing the projects took priority over the goal of providing valid military training.

OSD and Service Secretary Oversight of IRT Projects Is Limited and Inconsistent

OSD has provided limited and inconsistent oversight of IRT projects and the delivery of support and services under them.[4] For the most part, oversight is limited to those projects that receive supplemental IRT Program funding. Even within those projects, OSD did not always follow its own processes for ensuring the statutory requirements for civil military projects were met and did not have procedures in place to ensure that military organizations were meeting the statutory requirement not to provide assistance that results in a significant increase in training costs. The service secretaries have not established any additional oversight requirements.

The process for projects that receive supplemental IRT funding involves an application that the sponsoring service or component submits to OSD, a memorandum of agreement (MOA) between OSD and the sponsor once OSD approves the application, and an after-action report. In its guidance for submission of requests for supplemental funding for 1997 IRT projects, OSD specified a format for application submissions. The information required includes the name of the requesting civilian organization and other contributing organizations, certification of noncompetition, training requirements or objectives to be met, and estimated funding requirements. However, the application does not require a certification that each proposed project does not result in a significant increase in the cost of training.

For approved applications, OSD and the sponsor sign an MOA that specifies the amount of supplemental IRT funding allotted to the project and requirements to be met before the funds can be spent. An MOA may cover one or several projects that the same service or component is sponsoring. OSD officials told us that, under their policy, if the sponsor has more than one approved project, the sponsor determines the amount of supplemental IRT funds to distribute to each of its approved projects. The sponsor is responsible for ensuring that the requirements in the MOA are met.

The MOA also requires military organizations to submit after-action reports that include, for example, the number of personnel participating in the project and an accounting of funds used to support the project. Copies of after-action reports are to be provided to OSD.

Using documentation that OSD provided for fiscal year 1997 projects, we found that the process was not always followed because (1) sometimes

[4]Although Congress has legislated that no funds can be expended for an office within OSD with an exclusive or principal mission of providing centralized direction of activities under this program, OSD is not precluded from conducting oversight of projects (P.L. 104-106, div. A, title V, sec. 574, Feb. 10, 1996).

applications were not submitted, (2) MOAs were not always executed, and (3) after-action reports were not always prepared. Additionally, we found cases in which MOAs were executed and supplemental IRT funds were used without the sponsor having met the requirements of the MOA. In one case, OSD had funded a project without any part of the process having been followed. OSD officials told us that they funded the project near the end of the fiscal year when it became apparent that not all of the supplemental IRT funding that had been obligated would be spent. They said that to avoid losing the funds at the end of the fiscal year, they had orally directed the transfer of funds from one Marine Corps component to another to fund this project and had not required an application, had not issued an MOA, and had not required an after-action report. The officials told us they had no paperwork relating to the project. Moreover, we found that, in some cases, sponsoring organizations, such as service components or joint organizations, had not determined that IRT projects did not result in significant increases in the cost of training because they believed this was part of OSD's process for approving supplemental funding for projects. OSD, on the other hand, told us this determination was the responsibility of the sponsoring organizations.

OSD officials told us that they did not require the submission of applications and the issuance of MOAs for projects that required no supplemental IRT funding but that the DOD directive for the program requires submission of after-action reports for all IRT projects. However, the directive provides no designated time frame for providing the reports, and we found that they were not always submitted. Some service and component officials told us that after-action reports were not required if supplemental IRT funding was not used. Given the differing interpretations of the DOD requirement regarding after-action reports, clarifications to the directive could result in more consistent submission of the reports.

Conclusions and Recommendations

While Congress authorized the IRT Program to permit the use of the armed forces to meet civilian needs, it established specific requirements to ensure, among other things, that individual projects do not adversely affect military training or significantly increase the cost of training. To ensure that these requirements are met, stronger adherence to oversight procedures already in place, modifications to those procedures, and more specific guidance on determining training cost implications are needed.

We therefore recommend that the Secretary of Defense take action to manage the program to comply with the oversight procedures that have been established. Specifically, we recommend that

- when projects require supplemental IRT funding, sponsors have submitted applications with the required information and OSD and the sponsoring organizations have developed MOAs and
- DOD's directive be clarified to explicitly require the preparation and submission of after-action reports within a designated time frame for all projects, not just those requiring supplemental IRT funding.

We also recommend that the Secretary of Defense establish guidance for making cost determinations for joint projects and directing the service secretaries to define what constitutes an increase in the cost of training and what represents a "significant increase" in training costs associated with IRT projects.

In addition, we recommend that the Secretary of Defense modify OSD program oversight procedures to ensure that a determination has been made as to whether an increase in training costs is significant.

Agency Comments and Our Evaluation

In written comments on a draft of this report, DOD partially concurred with our findings and concurred with our recommendations. DOD characterized our position as advocating greater centralized control to improve program performance. DOD also noted that the Fiscal Year 1996 National Defense Authorization Act, Section 574, discouraged centralized DOD management of activities allowed under 10 U.S.C. 2012 and that, in response to that legislation, DOD has gradually reduced the level of centralized oversight and instructed the services to provide instructions to implement the program. Once the services issue these instructions, DOD stated a decentralized approach can work more effectively.

While the legislation does not permit centralized direction of activities under the IRT Program, it does not preclude DOD from conducting oversight. We do not advocate greater centralized control but rather better oversight to improve conformance with statutory requirements. For example, we recommended stronger adherence to oversight procedures already in place, modifications to those procedures, and more specific guidance on determining training cost implications. We continue to believe that such oversight is necessary and prudent to ensure compliance with the program's statutory requirements.

DOD also stated that it has fully accounted for resources specifically authorized and appropriated in fiscal year 1997 to fund IRT projects and that the services are responsible for IRT related costs funded from service resources. While DOD stated a separate system may be required to capture total costs, it emphasized that the benefits and costs of implementing such a system should be weighed against the value and size of the IRT Program. We note that the legislation requires DOD to ensure that assistance provided under the IRT Program does not result in a significant increase in the cost of training. Because of this requirement, we believe that maintaining information on project costs is important.

Scope and Methodology

To assess the nature, extent, and cost of the support and services DOD has provided under 10 U.S.C. 2012, we interviewed OSD and service officials and examined pertinent documents. We aimed at identifying the organization of the program and the types and scale of projects conducted through the program.

To ascertain whether the regulations and procedures were consistent with the requirements of section 2012, we compared available OSD and service regulations to the requirements of section 2012 and examined the procedures used to identify, plan, implement, and report on the projects we used as case studies and compared those procedures with the requirements of section 2012.

Because much of the program is decentralized and the universe of projects was not well defined, we used a case study methodology to examine those parts of the program for which no centralized source of information existed. The projects we examined were judgmentally selected from among those projects approved for supplemental funding from the section 2012 program. Our selections included several different types of projects; collectively, these projects included participants from each military service and each of their components. Other project selection factors included scale (size and duration) and geographic location.

For each project, we obtained information on the level of support and services provided from OSD, the involved services, and local commanders. We then compared the types of support and services with the project criteria set forth in the law to determine whether the project conformed to statutory requirements, particularly those dealing with military training. Because our case studies do not represent a valid statistical random sample, our findings cannot be projected to the entire program. However,

we believe our case studies provide insights into how the program is being carried out and monitored.

To evaluate the OSD's and service secretaries' oversight of such civil military projects, we interviewed IRT officials within OSD and each of the services and examined pertinent documents to determine how the oversight role was implemented. We also reviewed the legislative history of section 2012 to ascertain where statutory responsibility for overseeing such projects rested. In addition, we examined the available policies and procedures to ascertain how DOD expected the projects to be monitored.

We conducted our review between September 1997 and January 1998 in accordance with generally accepted government auditing standards.

We are sending copies of this report to other appropriate congressional committees; the Secretaries of Defense, the Army, the Navy, and the Air Force; the Commandant, Marine Corps; and the Director, Office of Management and Budget. Copies will also be made available to others on request.

Please call me at (202) 512-5140 if you or your staff have any questions concerning this report. Major contributors to this report are listed in appendix IV.

Mark E. Gebicke
Director, Military Operations and
Capabilities Issues

List of Congressional Committees

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Abbreviations

DOD	Department of Defense
IRT	Innovative Readiness Training
LCU	landing craft utility
MOA	memorandum of agreement
OSD	Office of the Secretary of Defense

Statutory Requirements for Innovative Readiness Training Program

The following provisions are stated, verbatim, in 10 U.S.C. 2012.

Support and Services for Eligible Organizations and Activities Outside Department of Defense

(a) Authority to provide services and support.—Under regulations prescribed by the Secretary of Defense, the Secretary of a military department may in accordance with this section authorize units or individual members of the armed forces under that Secretary's jurisdiction to provide support and services to non-Department of Defense organizations and activities specified in subsection (e), but only if—
(1) such assistance is authorized by a provision of law (other than this section); or
(2) the provision of such assistance is incidental to military training.
(b) Scope of covered activities subject to section.—This section does not—
(1) apply to the provision by the Secretary concerned, under regulations prescribed by the Secretary of Defense, of customary community relations and public affairs activities conducted in accordance with Department of Defense policy; or
(2) prohibit the Secretary concerned from encouraging members of the armed forces under the Secretary's jurisdiction to provide volunteer support for community relations activities under regulations prescribed by the Secretary of Defense.
(c) Requirement for specific request.—Assistance under subsection (a) may only be provided if —
(1) the assistance is requested by a responsible official of the organization to which the assistance is to be provided; and
(2) the assistance is not reasonably available from a commercial entity or (if so available) the official submitting the request for assistance certifies that the commercial entity that would otherwise provide such services has agreed to the provision of such services by the armed forces.
(d) Relationship to military training.—(1) Assistance under subsection (a) may only be provided if the following requirements are met:
(A) The provision of such assistance—
(i) in the case of assistance by a unit, will accomplish valid unit training requirements; and
(ii) in the case of assistance by an individual member, will involve tasks directly related to the specific military occupational specialty of the member.
(B) The provision of such assistance will not adversely affect the quality of training or otherwise interfere with the ability of a member or unit of the armed forces to perform the military functions of the member or unit.
(C) The provision of such assistance will not result in a significant increase in the cost of the training.

(2) Subparagraph (A)(i) of paragraph (1) does not apply in a case in which the assistance to be provided consists primarily of military manpower and the total amount of such assistance in the case of a particular project does not exceed 100 man-hours.
(e) Eligible entities.—The following organizations and activities are eligible for assistance under this section:
(1) Any Federal, regional, State, or local governmental entity.
(2) Youth and charitable organizations specified in section 508 of title 32.
(3) Any other entity as may be approved by the Secretary of Defense on a case-by-case basis.
(f) Regulations.—The Secretary of Defense shall prescribe regulations governing the provision of assistance under this section. The regulations shall include the following:
(1) Rules governing the types of assistance that may be provided.
(2) Procedures governing the delivery of assistance that ensure, to the maximum extent practicable, that such assistance is provided in conjunction with, rather than separate from, civilian efforts.
(3) Procedures for appropriate coordination with civilian officials to ensure that the assistance—
(A) meets a valid need; and
(B) does not duplicate other available public services.
(4) Procedures to ensure that Department of Defense resources are not applied exclusively to the program receiving the assistance.
(g) Advisory councils.—(1) The Secretary of Defense shall encourage the establishment of advisory councils at regional, State, and local levels, as appropriate, in order to obtain recommendations and guidance concerning assistance under this section from persons who are knowledgeable about regional, State, and local conditions and needs.
(2) The advisory councils should include officials from relevant military organizations, representatives of appropriate local, State, and Federal agencies, representatives of civic and social service organizations, business representatives, and labor representatives.
(3) The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to such councils.
(h) Construction of provision.—Nothing in this section shall be construed as authorizing—
(1) the use of the armed forces for civilian law enforcement purposes or for response to natural or manmade disasters; or
(2) the use of Department of Defense personnel or resources for any program, project, or activity that is prohibited by law.

(Added Pub.L. 104-106, Div. A, Title V, § 572(a), Feb. 10, 1996, 110 Stat. 353.)

Appendix II

Results of Case Studies

The following provides specific information on each of the six projects we used for case studies.

Operation Alaskan Road

Operation Alaskan Road, requested by the Metlakatla Indian community, is a multiyear engineering project sponsored by the Pacific Command and coordinated by the Alaskan Command. Members of the Missouri and Alaska National Guard were tasked to assist in the planning efforts. Phase one of the project, conducted in fiscal year 1997, involved over 850 members of the active forces of each of the military services. About 70 members of the Army and Air National Guard and the Army and Marine Corps Reserves also participated. During fiscal year 1997, the project was organized and planned and a base camp was constructed. The camp is to be used to house the military personnel who are expected to build a 14-mile road on Annette Island in Alaska over the next 5 years. The road will connect the town of Metlakatla with a remote section of the island that is much closer to the site of a proposed ferry terminal. The community believes that the proposed additional ferry access will allow more medical, educational, and commercial opportunities for the approximately 1,600 residents of Metlakatla.

In fiscal year 1997, about 150 Marines spent 57 days on the island constructing a 300-person base camp to be used in the future by U.S. military personnel constructing the road. The base camp consists of 38 buildings, including berthing barracks, a mess hall, and shower and restroom facilities. The Marines invested over 63,000 hours of labor to construct the buildings, which are designed to last about 5 years. Unit officials stated that this project provided their personnel with many training opportunities, such as ship-to-shore landing, horizontal engineering, and vertical construction.

Marine Corps officials told us the Alaskan deployment was good training for the engineer support company that participated. We found, however, that some individuals performed tasks unrelated to their military specialties, raising questions about whether the assistance provided was incidental to training. Specifically, because the company did not have enough combat engineers to complete the project in the allotted time, 25 Marines from a bulk fuel company, who were untrained in combat engineering skills, augmented the combat engineers. Therefore, a significant amount of time (about 2 months prior to deployment and more time on-site) was spent teaching basic combat engineering skills to the bulk refuelers. Also, Marine Corps officials told us that many tasks the

combat engineers were required to perform involved skills not found in the individual training skills manual for the combat engineer. Some examples included plumbing rough-in work, masonry, quarrying operations, and finished wood frame carpentry.

Two Navy troop transport ships carried the Marines on two separate trips from San Diego, California, to Annette Island. The trips took a total of 23 days and involved more than 650 Navy personnel. In Alaska, a Navy landing craft utility (LCU) transported personnel and supplies between the island and the mainland. Twenty five LCU personnel were assigned in support of this project. This project fit the unit's mission of ship-to-shore movement of combat troops and equipment and provided the unit the opportunity to train for and prove the capability of LCUs to perform operations for extended periods while unsupported by a ship or parent command. During the 8-week operation, the craft made daily trips to Annette Island and surrounding areas.

The total Department of Defense (DOD) cost for Operation Alaskan Road in fiscal year 1997 is not known, but it was at least $5.1 million. Innovative Readiness Training (IRT) funds spent on the project were about $2.1 million and paid for such expenses as supplies and equipment, some of the fuel (ground and ship), building materials, and commercial transportation. Additional service and component contributions were at least $3 million. These included pay and allowances for most personnel working on the project, some travel and per diem costs, and some contracting costs. Project officials were not able to determine all costs, however. For example, the amount did not include payments for staff management oversight and some flights for personnel and supplies.

In addition to DOD, many organizations have been involved in the project, including the Metlakatla Indian community, the Bureau of Indian Affairs, the Coast Guard, the Federal Highway Administration, and the Alaska Department of Transportation and Public Facilities.

Navajo Nation Building Project

The Navajo Nation Building Project, conducted for the benefit of the Navajo Nation, is a multiyear engineering project that began in fiscal year 1995 and is sponsored by the Army National Guard. During fiscal year 1997, participants began reconstructing Blue Canyon Road between Sawmill, Arizona, and Fort Defiance, Arizona. About 420 Army National Guard members from several states participated in the project, expending about 32,400 days (about 2,400 days for engineers and about 30,000 days

for administrative and logistical support). Most of these participated with their units during their annual training. The units provided administrative and logistical support; conducted rock quarry operations; regraded 9 miles of road; installed shoulders, ditches, and drainage structures; applied a gravel surface along 6 miles of road; and provided security. The Navajo Nation Council reported that the reconstructed Blue Canyon Road will provide people residing in the area with an all-weather road that is passable during inclement weather.

The total DOD cost to fund this project is not known, but it was at least $2.3 million. This amount included about $1.9 million in supplemental IRT funds that paid for expenses exceeding the amounts units budgeted for annual training. These expenses included pay and allowances and travel and per diem for some participants, transportation of soldiers and equipment, and the rental of equipment at the project site. Service and component contributions of at least $423,000 were used for pay and allowances and some per diem for participants on annual training. Service officials were unable to provide the amount spent for military airlift used to transport some soldiers to the project site.

In addition to DOD, the communities of Sawmill and Fort Defiance, the Navajo Nation, the Bureau of Indian Affairs, Indian Health Services, the U.S. Forest Service, the Environmental Protection Agency, and the Arizona and New Mexico State Historic Preservation Offices made contributions to the project.

Operation Good Neighbor

Operation Good Neighbor was an engineering project sponsored by the Air Force Reserve for the benefit of the Navajo Nation. During fiscal year 1997, the project to reconstruct roads near Gallup, New Mexico, was planned and reconstruction activities begun. About 38 Air Force and Navy reservists and active duty Air Force personnel participated.

Project officials told us that the certification of noncompetition with the private sector had not been provided for this project. They said that they had been unsuccessful in their attempts to get community officials to meet the requirement before starting the project. As a result, they had contacted Office of the Secretary of Defense (OSD) officials and were told to continue the project, without the certification.

The Naval Reserve Seabees tasked to do the reconstruction over a 30-day period were able to work on only 2 of the 35 miles of originally planned

road reconstruction due to delays in obtaining environmental clearances. They completed the 2 miles in 2 days. The project was then shifted to the partially reconstructed Blue Canyon Road project between Sawmill, Arizona, and Fort Defiance, Arizona. The Army National Guard had started this road reconstruction as an IRT project earlier in the summer and had obtained all the required clearances. The Seabees regraded 11 miles of road, graveled 1.5 miles, and installed culverts where needed. The Navajo Nation Council reported that the reconstructed Blue Canyon Road will provide people residing in the area with an all-weather road that is passable during inclement weather.

Because additional IRT funds were available, the project was expanded to include building handicap ramps. Air Force Reserve officials told us they had been aware of the need for ramps and took advantage of the available funding to build them. Five Navy Reserve Seabees spent 10 days to construct 14 ramps at the homes of disabled Native Americans. They were supported by three Air Force personnel (two active duty and one reservist). Four of the eight participants (all of the Air Force personnel and one Seabee) had been involved in the road construction effort and stayed on to build the ramps. The other four participants were additional Seabees who joined the effort.

On this project, 25 Seabees from several Naval Reserve units reconstructed the road. Seven of them had military specialties unrelated to the road construction tasks they performed. In addition, three of the five Seabees who constructed the ramps for the handicapped had military specialties unrelated to their tasks.

The total DOD cost for Operation Good Neighbor in fiscal year 1997 is not known, but it was at least $230,000 (over $28,000 of which was spent during the ramp-building portion of the project). Supplemental IRT funds spent on the project were at least $203,000 and were used for such expenses as military pay and allowances, equipment rental, supplies, and fuel. Additional service contributions were at least $27,000 and included some pay and allowances. The officials were not able to determine all costs, however. For example, the amount did not include the cost of military airlift.

In addition to DOD, many organizations have contributed to the project, including the Navajo Nation, the Bureau of Indian Affairs, the Southwest Indian Foundation, and the Western Health Foundation.

Mirt 97 - Adams County

MIRT 97 - Adams County was a medical project conducted over a 4-day period in fiscal year 1997 by approximately 120 medical personnel from the Ohio Army National Guard. The National Guard Bureau sponsored the project, and the Ohio Army National Guard planned and coordinated it. This project involved providing medical services such as immunizations, pediatric wellness clinics, dental evaluations, vision and blood testing, physical examinations, and referrals to about 500 people from a medically underserved community located in the Appalachian region of Ohio. Adams County, which was designated by the U.S. Department of Health and Human Services in the Federal Register as having a primary medical care health professional shortage in 1997, was selected as the participating county by the Ohio Department of Health.

This project was completed over 2 weekends, with approximately 60 medical personnel participating each weekend. Medical personnel screened about 165 people the first weekend and about 335 the second weekend. Unit and individual training tasks were accomplished, either partially or totally, during this project. Unit training tasks accomplished included deploying a medical company to a new operating site, establishing an area of operations, performing health service support operations, and redeploying to the units' home stations. Individual tasks accomplished included taking vital signs, administering medication, collecting specimens, and providing dental care.

The total DOD cost of this project is not known, but it was at least $41,400. Supplemental IRT funds used on the project were approximately $8,800 and were used to pay for meals, lodging, supplies, and equipment rental. Ohio Army National Guard contributions were at least $32,600. This amount included fuel and some pay and allowances for project participants. Project officials were unable to provide all costs. For example, the amount does not include the cost of some of the initial project planning meetings.

In addition to DOD, a number of state and local organizations were involved in the project, including the Ohio Department of Health, the Ohio Family and Children First Initiative - Office of the Governor of Ohio, and the Adams County Family and Children First Council.

Operation REEFEX 97

Operation REEFEX is a multiyear engineering/infrastructure project that has been ongoing since the early 1990s. Project officials told us the 1997 project, conducted for New Jersey, involved creating artificial reefs by placing excess and obsolete combat vehicles, which were demilitarized

and cleaned, at designated offshore areas. In fiscal year 1997, the Army National Guard sponsored the project and dropped 85 obsolete combat vehicles off the coast of New Jersey over a 7-day period. There was no documentation of a request or a certification of noncompetition for this project. The New Jersey Army National Guard coordinated the project and hired a civilian to manage it. About 100 military personnel from the New Jersey Army National Guard (about 45 participants), the Navy Reserve (about 37 participants), the Air Force Reserve (6 participants), and the Coast Guard (about 18 participants) carried out the project. Most of these participants were in inactive duty training status. In addition, the Guard hired seven civilians to demilitarize the vehicles.

New Jersey Army National Guard truck operators used military vehicles to transport the demilitarized vehicles to a holding area for temporary storage and subsequently transported the vehicles to the barge loading site. Once the vehicles were aboard a commercial barge, military personnel from the New Jersey Army National Guard, Navy Reserve cargo handling personnel, and Air Force Reserve air transportation specialists secured the vehicles to the barge. A commercial tug then moved the barge to the designated locations and the vehicles were released into the ocean. Coast Guard crews and personnel from a Navy Reserve inshore boat unit provided water transportation to and from the reef site for the work crews and provided security during the water transportation of the vehicles. Unit officials stated that participation in this project provided their personnel with valuable hands-on training in, for example, transporting vehicles, on- and off-loading vehicles, and securing vehicles for movement.

The total DOD cost for Operation REEFEX 97 is not known, but it is at least $584,000. Supplemental IRT funds spent for the project in fiscal year 1997 were approximately $399,000. These funds were used to pay the eight civilians hired in support of the project and to pay for supplies and equipment needed to demilitarize vehicles; contracted services such as meals, hotels, and equipment repairs; building rental and maintenance; and some costs for commercial tug and barge rental, fuel, and military pay and allowances. Service and component contributions were at least $185,000 and primarily consisted of pay and allowances for some of the personnel working on the project. Program officials were not able to provide the total cost of service and component contributions. For example, the amount did not include the cost of some fuel and of operating some military vehicles and boats.

In addition to DOD, many organizations were involved in the project, including the U.S. Environmental Protection Agency, the New Jersey Department of Environmental Protection, the New Jersey State Fish and Game Office, and the Artificial Reef Association.

Operation Crescent City 97

The Marine Corps Reserve sponsored and planned Operation Crescent City 97, which was to have involved the demolition and reconstruction of a basketball court. The Reserve planned the project, and OSD approved supplemental IRT funding for it. However, according to Reserve officials the project was canceled the day before work was to have begun because they and the community failed to reach an agreement that would allow them to meet some of the statutory requirements. For example, there was no written request letter; no agreement on who would provide services unrelated to the Marine Corps unit's mission-essential tasks, such as security of the construction equipment; and no agreement on who would pay for certain aspects of the project that had no training value, such as the removal and disposal of the demolished materials.

Had this project proceeded as planned, 13 Marines from an engineering support battalion would have participated on the project for a period of 15 days. Their participation was expected to fulfill annual training requirements. When the project was canceled, alternate training was arranged at a military base, where the Marines accomplished a variety of construction projects in support of base facilities, such as concrete pad construction, wood frame construction, and roofing work.

The total cost of planning this project is not known. A total of about $4,400 in supplemental IRT funds was spent, but Marine Corps Reserve officials said they could not provide the service contribution.

Comments From the Department of Defense

RESERVE AFFAIRS

ASSISTANT SECRETARY OF DEFENSE
WASHINGTON DC 20301-1500

24 FEB 1998

Mr. Mark E. Gebicke
Director
Military Operations and Capability Issues
National Security and International Affairs Division
Washington, D.C. 20548

Dear Mr. Gebicke:

This is the Department of Defense (DoD) response to the General Accounting Office (GAO) draft report, "Civil Military Program: Stronger Oversight Would Improve Statutory Compliance," dated January 30, 1998 (GAO Code 703219/OSD Case 1534). The Department partially concurs with the report.

The report confirmed that the Department met its most important congressional requirement by issuing a directive to the Military Departments, which was in accordance with the authorizing legislation. A more appropriate title – which is supported by the report itself-- might be "Civil Military Program: Statutory Requirements Being Met -- Stronger Oversight Would Improve Statutory Compliance."

The Department understands GAO's position that greater centralized control may improve program performance. However, in response to legislation, the Department has gradually reduced the level of centralized oversight and directed the Services to provide implementing instruction for DODD 1100.20, Support and Services for Eligible Organizations and Activities Outside the Department of Defense, dated January 30, 1997. A decentralized approach can work more effectively once the Services have issued implementing instructions.

The Department is clearly on the right path to meet both the intent and spirit of the law. The Department will further review, discuss and assess the findings of this report with Military Departments. The results of these discussions will develop the level of detail and control each Service will exercise as they finalize their Service instruction.

The detailed DoD comments on the draft report findings and recommendations are enclosed. The Department of Defense appreciates the opportunity to comment on the draft report. If there are any questions, my point of contact is Mr. Ernie Gonzales, (703)693-8630.

Sincerely,

Deborah R. Lee

Enclosures:
As stated

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**GENERAL ACCOUNTING OFFICE DRAFT REPORT DATED JANUARY 30, 1998
(GAO CODE 703219/OSD CASE 1534)**

"CIVIL MILITARY PROGRAM: STRONGER OVERSIGHT WOULD IMPROVE STATUTORY COMPLIANCE"

DEPARTMENT OF DEFENSE COMMENTS TO FINDINGS

FINDING A: Full Extent, Nature, and Cost of Program are Not Known.

DoD Response: Partially concur. The Department has fully accounted for the resources specifically authorized and appropriated in FY97 to fund IRT projects. Costs associated in conducting an IRT, funded through the Services' resources, are the responsibility of the Service Secretaries. The Secretaries of the Military Departments have fiduciary responsibility for ensuring appropriate accountability of all authorized and appropriated training resources, as well as for promulgating guidance that is consistent with the policies and guidance provided in DODD 1100.20 and associated directives. A separate system may be required to capture the total costs to the Department of the IRT program beyond those specifically authorized and appropriated. The benefits and costs of developing and implementing such a system should be weighed against the value and size of the IRT program.

FINDING B: Program Guidance is Consistent with Statutory Requirements.

DoD Response: Concur.

FINDING C: Statutory Requirements for Selected Projects were Generally Met.

DoD Response: Concur.

FINDING D: OSD AND SERVICE SECRETARY OVERSIGHT OF IRT PROJECTS IS LIMITED AND INCONSISTENT.

DoD Response: Partially concur. The Department recognizes that each approved IRT project using the specifically appropriated IRT funds requires complete documentation. The FY 1996 National Defense Authorization Act, Section 574, discouraged Departmental centralized management of activities allowed under Section 2012 of title 10, U.S.C. In response to this legislation, the Department has gradually reduced the level of centralized oversight and directed the Services to provide implementing instructions for DODD 1100.20. The Department accomplishes its oversight responsibilities through review and assessment of IRT funding proposals, allocation of centrally managed IRT funds, and after action reports.

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GENERAL ACCOUNTING OFFICE DRAFT REPORT DATED JANUARY 30, 1998
(GAO CODE 703219/OSD CASE 1534)

"CIVIL MILITARY PROGRAM: STRONGER OVERSIGHT WOULD IMPROVE STATUTORY COMPLIANCE"

DOD RESPONSE TO THE RECOMMENDATIONS

Recommendation 1: **The GAO recommended that the Secretary of Defense take action to manage the program so as to comply with the oversight procedures that have been established to help ensure the statutory requirements are met. Specifically, projects that receive supplemental IRT funding should have applications that contain the required information and should have in place memorandums of agreement between OSD and the sponsoring organizations. Also DoD's direction should be clarified to explicitly require that after action reports be prepared and filed within a designated timeframe for all projects, not just those requiring supplemental IRT funding.**

DoD Response: Concur.

Recommendation 2: **The GAO recommended that the Secretary of Defense establish guidance setting procedures for making cost determinations for joint projects and directing the Service Secretaries to define what constitutes an increase in the cost of training and what represents a "significant increase" in training costs associated with IRT projects.**

DoD Response: Concur.

Recommendation 3: **The GAO recommended that the Secretary of Defense modify OSD program oversight procedures to ensure that the determination of whether any increase in training costs is considered significant has been made.**

DoD Response: Concur.

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Appendix IV

Major Contributors to This Report

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